

AMENDED IN ASSEMBLY APRIL 22, 2010

AMENDED IN ASSEMBLY APRIL 15, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2689

Introduced by Assembly Member Smyth

February 19, 2010

An act to amend Section 121690 of the Health and Safety Code, relating to public health, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2689, as amended, Smyth. Rabies vaccinations.

Existing law imposes various requirements upon dog owners in rabies areas designated by the State Public Health Officer. Any person who violates these requirements is guilty of an infraction. Violation of these requirements also results in impounding of the dog by the local jurisdiction. Among the requirements imposed under existing law is that a dog 4 months of age or older must be licensed by the appropriate city, county, or city and county, and vaccinated for rabies, as specified.

This bill would permit a city, county, or city and county to specify the means by which a dog owner is required to provide proof of his or her dog's rabies vaccination.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 121690 of the Health and Safety Code
2 is amended to read:

3 121690. In rabies areas, all of the following shall apply:

4 (a) Every dog owner, after his or her dog attains the age of four
5 months, shall no less than once every two years secure a license
6 for the dog as provided by ordinance of the responsible city, city
7 and county, or county. License fees shall be fixed by the
8 responsible city, city and county, or county, at an amount not to
9 exceed limitations otherwise prescribed by state law or city, city
10 and county, or county charter.

11 (b) Every dog owner, after his or her dog attains the age of four
12 months, shall, at intervals of time not more often than once a year,
13 as may be prescribed by the department, procure its vaccination
14 by a licensed veterinarian with a canine antirabies vaccine approved
15 by, and in a manner prescribed by, the department. The responsible
16 city, county, or city and county may specify the means by which
17 the dog owner is required to provide proof of his or her dog's rabies
18 vaccination, including, but not limited to, by electronic
19 transmission or facsimile.

20 (c) All dogs under four months of age shall be confined to the
21 premises of, or kept under physical restraint by, the owner, keeper,
22 or harbinger. Nothing in this chapter and Section 120435 shall be
23 construed to prevent the sale or transportation of a puppy four
24 months old or younger.

25 (d) Any dog in violation of this chapter and any additional
26 provisions that may be prescribed by any local governing body
27 shall be impounded, as provided by local ordinance.

28 (e) The governing body of each city, city and county, or county
29 shall maintain or provide for the maintenance of a pound system
30 and a rabies control program for the purpose of carrying out and
31 enforcing this section.

32 (f) Each city, county, or city and county shall provide dog
33 vaccination clinics, or arrange for dog vaccination at clinics
34 operated by veterinary groups or associations, held at strategic
35 locations throughout each city, city and county, or county. The
36 vaccination and licensing procedures may be combined as a single
37 operation in the clinics. No charge in excess of the actual cost shall
38 be made for any one vaccination at a clinic. No owner of a dog

1 shall be required to have his or her dog vaccinated at a public clinic
2 if the owner elects to have the dog vaccinated by a licensed
3 veterinarian of the owner's choice.

4 All public clinics shall be required to operate under antiseptic
5 immunization conditions comparable to those used in the
6 vaccination of human beings.

7 (g) In addition to the authority provided in subdivision (a), the
8 ordinance of the responsible city, city and county, or county may
9 provide for the issuance of a license for a period not to exceed
10 three years for dogs that have attained the age of 12 months or
11 older and have been vaccinated against rabies. The person to whom
12 the license is issued pursuant to this subdivision may choose a
13 license period as established by the governing body of up to one,
14 two, or three years. However, when issuing a license pursuant to
15 this subdivision, the license period shall not extend beyond the
16 remaining period of validity for the current rabies vaccination. A
17 dog owner who complies with this subdivision shall be deemed to
18 have complied with the requirements of subdivision (a).

19 (h) All information obtained from a dog owner by compliance
20 with this chapter is confidential to the dog owner and proprietary
21 to the veterinarian. This information shall not be used, distributed,
22 or released for any purpose, except to ensure compliance with
23 existing federal, state, county, or city laws or regulations.

24 *SEC. 2. This act is an urgency statute necessary for the*
25 *immediate preservation of the public peace, health, or safety within*
26 *the meaning of Article IV of the Constitution and shall go into*
27 *immediate effect. The facts constituting the necessity are:*

28 *In order to ensure that local jurisdictions can immediately begin*
29 *to receive important rabies vaccination information in more*
30 *accessible formats to further protect the public health, it is*
31 *necessary that this act take effect immediately.*